

## **AFTER ACTION REPORT**

### **REGULAR CITY COMMISSION MEETING MONDAY, MARCH 21, 2011 6:30 P.M.**

**DELTONA COMMISSION CHAMBERS  
2345 PROVIDENCE BLVD.  
DELTONA, FLORIDA**

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### **AGENDA**

- 1. CALL TO ORDER**
- 2. ROLL CALL - CITY CLERK**
- 3. SILENT INVOCATION AND PLEDGE TO THE FLAG:**
- 4. APPROVAL OF MINUTES & AGENDA:**

**Regular City Commission Meeting – March 7, 2011.**

Commission voted unanimously to adopt the minutes of the Regular City Commission Meeting of March 7, 2011 with the following correction that on Page 15, Item 10-A, the vote should have been the opposite of what was presented.

- B. Additions or Deletions to Agenda.**
- 5. PRESENTATIONS/AWARDS/REPORTS:**
  - A. Presentation - February Superstar Student of the Month certificate for Alyssa Hailey Thomas, Deltona Middle, 8<sup>th</sup> Grade.**
  - B. Presentation - 2010 Annual Report - Volusia County Sheriff's Office (VCSO).**

- C. **Annual Audit Presentation: Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2010 – Mark White and Laurie Walker, Purvis, Gray & Company.**

After discussion, the Commission voted unanimously to accept the City of Deltona's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2010 as audited and to direct the City Manager that in the coming year's audit to direct the City Manager to include an operational audit, with a scope to be determined by the City Commission at a later time.

6. **PUBLIC FORUM – Citizen comments for items not on the agenda.  
(4 minute maximum length)**

**CONSENT AGENDA:** All items marked with an \* will be considered by one motion unless removed from the Consent Agenda by a member of the City Commission. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

7. **CONSENT AGENDA:**

- \*A. **Request for approval to piggyback State Contract #250-000-09-1 for Storage System and Support from Hewlett Packard.**

*The City has replaced 14 servers and virtualized them. Their storage resides on three arrays. In order to maintain that storage, an additional array is needed to replace existing server storage failover in case of emergencies, planned upgrades and to expand our storage capacity. With the reduction in servers, the City will see savings in power consumption and decreases in replacement costs.*

*This will be an offsite storage node that will provide a critical function to data redundancy in case of disaster. It will allow us to reduce our reliance on tape solutions and provide a more robust platform that will offer increased recovery points and decreased downtime.*

*Strategic Planning Goals: Increase available data storage, reduce data storage costs, increase storage efficiency, increase storage availability and redundancy, extend the normal life cycle of the product by 3-5 years, reduce power consumption and increase available physical space.*

After discussion, the Commission voted unanimously to approve the purchase of an HP P4500 G2 5.4TB SAS Storage System with support at a total cost of \$27,700.42.

**\*B. Resolution No. 2011-08, Request to Commence the Sale Process for Real Property located at 591 North Firwood Drive within the City of Deltona.**

*The City of Deltona acquired real property in the form of a single family dwelling unit located at 591 North Firwood Drive; generally located at the southwest corner of North Normandy Boulevard and North Firwood Drive. The site was acquired for the roadway widening project for North Normandy Boulevard. Resolution No. 2011-08 is a request by City staff to begin the sale process of that unit with City Commission authorization.*

*The North Normandy roadway widening project has been completed and the City considers the vacant single family unit to be surplus real estate that is better served by being occupied and in fee simple ownership of a private entity. This also reduces the potential for maintenance costs for the City.*

After discussion, the Commission voted 3 to 3 (Commissioner Carmolingo, Commissioner Herzberg and Mayor Masiarczyk voted against the motion) to table Item 7-B until the City Commission has a chance to consider it in a workshop.

After discussion on the original motion, the Commission voted unanimously to place the item on the next available Regular City Commission Meeting Agenda with the proper back-up documentation.

After discussion on the amended motion, the Commission voted unanimously to substitute a new motion for the standing motion to approve Resolution No. 2011-08 authorizing the commencement of the sale process for real property located at 591 North Firwood Drive with the removal of sentence 2 of Section 2.

**8. ORDINANCES AND -PUBLIC HEARINGS: None.**

**9. OLD BUSINESS:**

**A. Request for approval of revised Commission Policy/Procedure CC99-005, In-Kind Donations to Deltona-based not-for-profit entities.**

*At the January 11th and February 22nd Commission workshop meetings, the Commission discussed changes to Commission Policy/Procedure CC99-005, In-Kind Donations to Deltona-based not-for-profit entities. The proposed revised policy reflects the changes as discussed by the City Commission and includes some clarification of old policy language that is no longer applicable. The changes shown in blue ink are the changes that have been made based on the Commission's discussion at the February 22nd Commission workshop meeting. Language has also been added to the reporting section as requested during your March 7th meeting.*

After discussion, the Commission voted unanimously to adopt the revisions to Commission Policy/Procedure CC99-005, In-Kind Donations to Deltona-based not-for-profit entities, with the following change to the third from the last sentence of the policy: "The maximum amount provided as in-kind donations to any entity not receiving an exemption shall not exceed \$2,500 per fiscal year."

**10. NEW BUSINESS:**

**A. Consideration of request from Theresa Morse for reduction of fine from \$1,700.00 assessed pursuant to Special Magistrate Case DEL-10-20.**

*An order Imposing Fine/Lien was entered on January 27, 2010, by the City of Deltona Special Magistrate, ordering Richard Hudson Jr. to correct the violation by February 24, 2010 or to pay the City of Deltona a fine in the amount of one hundred dollars (\$100.00) per day beginning February 25, 2010, for each and every day the violations exist and continue to exist or until a maximum amount of \$10,000.00 is reached. The violation occurred when the respondent failed to make repairs to a falling down fence located on the property at 802 Farrington Drive. An affidavit of compliance was issued by the officer on March 14, 2010. The respondent failed to come into compliance for 17 days. The total accumulated amount due is \$1,700.00. On February 23, 2011 the new owner Theresa Morse appeared before the Special Magistrate to request a recommendation to reduce the fine.*

After discussion, the Commission voted 5 to 1 (Commissioner Denizac voted against the motion) to grant the request of Theresa Morse for a reduction of the fine concerning Case No. DEL-10-020 for the property located at 802 Farrington Drive, Deltona, Florida, to the sum of \$0.00 to be paid within 30 days (April 21, 2011).

After discussion, the Commission voted unanimously to ask the Special Magistrate to provide the City Commission on any request for a fine reduction as the work product in each case with written documentation of his recommendation for action on the Commission's part, the reason for the recommendation and separately identified numbered findings of fact.

**B. Resolution No. 2011-09, Providing for a Moratorium on the collection of Fire/Rescue and Law Enforcement Impact Fees.**

*The City Commission adopted Resolution No. 2009-15 at the April 20, 2009, City Commission Public Hearing that provided a temporary impact fee moratorium (Moratorium) on the assessment and collection of City non-residential impact fees for fire/rescue and law enforcement for a period of one (1) year. The Moratorium has since expired and the City Commission did not continue with Resolution No.*

*2009-15. The Moratorium did not include City impact fees for parks, water and sanitary sewer; or County impact fees for transportation and schools.*

*Resolution No. 2011-09 is similar to Resolution No. 2009-15, in that a temporary impact fee moratorium (Moratorium) is proposed. This resolution is for a Moratorium on Fire/Rescue and Law Enforcement impact fees, the only two that can be considered. Impact fees not considered for the Moratorium include fees for parks, water, sanitary sewer, and County fees for transportation and schools. The intent of the Moratorium, as before, is to provide an economic stimulus to developers wanting to build projects in the City and assist in mitigation of development costs.*

*The Impact Fee Moratorium Analysis includes recent commercial projects as well as a couple of hypothetical's.*

After discussion, the Commission voted unanimously to approve Resolution No. 2011-09 providing for a temporary impact fee moratorium on the collection of fire/rescue and law enforcement impact fees for one (1) year from March 22, 2011 and March 21, 2012.

After discussion on the amended motion, the Commission voted unanimously to add the following provision, while City staff studies the possibility of permanently abolishing these impact fees and reports their conclusions to the City Commission.

**C. Discussion re: broadcasting City Commission workshop meetings.**

*At the March 7th Commission meeting, the Commission discussed the issue of broadcasting City Commission workshop meetings. During the discussion the Commission asked for additional detail and options for consideration. The outline provides for four (4) options as prepared by our Public Information Officer, Lee Lopez.*

*In addition, the Commission asked about the cost involved in staff time to set-up, broadcast live or videotape the Commission workshop meetings. Based on the options, if the option indicates two personnel, those individuals are salaried staff members which would not incur additional cost for overtime; if the option selected includes three personnel the third individual is an hourly employee who often flexes the time during the pay week as determined by workload and assignments thus reducing the cost of any overtime.*

After discussion, the Commission voted unanimously to approve Option #2 and to start having City Commission Workshops in the Commission Chambers as of May 1, 2011 while staff gathers information regarding the cost to re-arrange the dais and to re-wire for computers and audio equipment which is to be brought back to the Commission.

After discussion, the Commission voted 2 to 4 (Commissioner Carmolingo, Commissioner Herzberg, Commissioner Denizac and Mayor Masiarczyk voted against the motion) to reconsider and approve the City's donation of \$5,000 to The Boys and Girls Club summer recreation program to offset the costs to serve the disadvantaged youth of our community through free and reduced summer recreation fees. Motion Failed.

**11. CITY COMMISSION COMMENTS:**

**12. CITY ATTORNEY COMMENTS:**

**13. CITY MANAGER COMMENTS:**

**14. ADJOURNMENT:**

**NOTE:** If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least three (3) working days in advance of the meeting date and time at (386) 878-8100.